Foundation paper
"European Network of Official Authorities in Charge of the Secret-Police Files"

I. Initial situation

1. After the fall of the Communist dictatorships in the former German Democratic Republic, Poland, Romania, Slovakia, Hungary, the Czech Republic and Bulgaria, state-operated agencies were founded, which are responsible for the legacy of the former secret-police agencies and other repressive bodies of these dictatorships, and which should ensure the general public's access to these documents.

2. The major targets of these institutions are in particular:
   - to facilitate individual access to files and data containing personal information of those persons formerly suffering from repression by the secret police.
   - to ensure a comprehensive educational and historical analysis of the working principles of communist secret police bodies based on scientific findings,
   - to ensure that the files are handled and made available in keeping with the principles of the rule of law.

3. The formation of these official authorities and the history of the opening of the files took a different course in our countries: some have already been in existence since the early 1990s, others have been established in recent years. The guiding principle of the work of all these agencies is the will of the respective parliaments to make their own laws pertaining to the legacy of the Communist secret-police, which do justice to their own special circumstances and ensure the handling and making available of the files under the rule of law. In this context, it should be emphasised that all these institutions are independent and not part of the general state-owned archive-management bodies.

4. In the past several years an active bilateral and multilateral co-operation, between our institutions, has developed on various levels. Other state-operated and non-state-operated institutions and organisations (such as, for example, institutions which carry out historical research) are frequently involved in this co-operation.

II. Foundation of a European Network of Official Authorities in Charge of the Secret-Police Files

We, the representatives of these institutions, have recognised the necessity to reinforce our co-operation and express our common purpose in a European Network. In this process, we follow up on the initiative expressed in the Resolutions 1096 (1996) and 1481 (2006) of the Parliamentary Assembly of the Council of Europe (among others), which emphasise the importance of the prosecution of crimes committed by Communist regimes, to inform the public of these crimes and to open the secret-police archives maintained by these dictatorships. As state-operated institutions with the legally codified mandate to enable access to these files, we in the European Union seek to state clearly our common position on these issues. We seek to be a forum for the mutual exchange and transfer of information: this applies to the archives, the legal regulations, the historico-political education and public-relations, and research. With the establishment of this European network, we would like to make clear that these issues do not encompass merely a national context. They involve coming to terms with the past in a European, an international context. We wish to stress the importance of opening the files and access to these files, which is regulated in accordance with the rule of law and also the importance of independent research and wide spread information about the secret police of dictatorships and its representatives. Our common aim is to support each other in the fulfilment of these tasks. We wish to guarantee the full independence of archival research. Any kind of political instrumentalisation must be prevented. We wish to advocate this together publicly.

In this process, we acknowledge that the nations concerned follow – notwithstanding the common basis of their aims – a different approach, as e.g. in their internal structure, in regulating the legal and factual access to the files, in the assignment of jurisdiction for the investigation of crimes committed by dictatorial



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regimes and the lustration and vetting in politics and administration.

In the context of a multi-faceted landscape of state-operated and non-state-operated agencies, institutions and initiatives involving research institutes, foundations, memorial sites, museums and victims' groups – our European Network serves to promote the common aim of enhancing efforts on the academic, social and political levels to come to terms with the past. It will do so with regard to the different experiences with repression which the countries involved have had. Particular importance should be attached to independent academic research and the historico-political education of, in particular, the european youth. The purpose of this network is to involve other agencies/institutions and initiatives in its work – and to find suitable forms of involvement.

We are convinced that access to the secret-police files is an important aspect of the transformation processes taking place after the fall of dictatorships worldwide. Therefore, the network aims to define minimum requirements for access to the secret-police files kept by dictatorships.

In order to inform the public, the network will first create comparative surveys of access to the files, the legal principles governing this access, and the structure of the responsible institutions, as well as of the utilisation of their services. The network will focus on the subjects-specific, independent fulfilment of tasks in order to eliminate the possibility of any kind of political instrumentalisation.

III. Working methods of the network

1. Annual conferences

The network will conduct an annual conference at which the management bodies of the institutions involved discuss important issues associated with

their functions and the overall process of coming to terms with the past in their countries. In this process it is intended that the pan-European dimension of these issues plays a particularly significant role.

The country which serves as Chair of the network on a rotating basis should serve as the host of the conference in that particular year.

This annual conference is accompanied by public events which are to serve to increase public awareness of issues related to this review process. In this context, it would be desirable to involve additional agencies/institutions and initiatives which are involved in this process of coming to terms with the past.

The proceedings of the annual conference will then be documented and published in an appropriate way.

2. Co-ordination group

The network will establish a co-ordination group consisting of representatives from the institutions involved,

- will ensure constant and direct communication,
- will prepare the annual conference together with the host authority,
- will develop a system for collection, providing and updating basic information on the authorities involved.

3. Central organisation

The institution which is to host the next annual conference, will chair the network for a one-year term leading up to that conference.

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